

File No.: Z-9190

Owner: Mid-Ark Property and Investments, Inc.

Applicant: Otto Beaumont

Address: 7811 DePriest Road

Description: Southwest corner of DePriest Road and Kelli Court

Zoned: R-2

Variance Requested: A variance is requested from the fence provisions of Section 36-516 to allow a fence which exceeds the maximum height allowed.

Justification: The applicant's justification is presented in an attached letter.

Present Use of Property: Single Family Residential

Proposed Use of Property: single Family Residential

STAFF REPORT

A. Public Works Issues:

No Comments.

B. Staff Analysis:

The R-2 zoned property at 7811 DePriest Road is occupied by a one-story brick and frame single family residence. The property is located on the southwest corner of DePriest Road and Kelli Court. There is a two-car wide driveway from DePriest Road which serves as access. The property contains a 25 foot front and street side platted building line along both street frontages. A five (5) foot wide utility easement runs along the south and west property lines.

The applicant proposes to construct a six (6) foot high wood fence off the southeast corner of the residence, as noted on the attached site plan. The proposed fence will extend from the east side of the residence to the southeast corner of the lot, crossing the 25 foot street side platted building line. The fence will then run along the south property line, enclosing the rear yard area of the lot. The fence will be located 14 feet back from the edge of pavement of Kelli Court, approximately 3.5 feet inside the east property line.

Section 36-516(e)(1)a. of the City's Zoning Ordinance allows a maximum fence height of four (4) feet for fences located between a building setback line and a street right-of-way. Six (6) foot high fences are allowed elsewhere on residential lots.

Therefore, the applicant is requesting a variance to allow that portion of the six (6) foot high wood fence located between the 25 foot street side platted building line and the Kelli Court right-of-way.

Staff is supportive of the requested fence height variance. Staff would typically have concerns with the proposed fence location, based on the fact that the lots immediately to the south have front yard relationships to Kelli Court. However, in this case the owners of the two (2) properties immediately to the south at #3 and #5 Kelli Court have signed-off on the proposed fence project. Additionally, if the fence were kept inside the building line, only a minimal area of rear yard could be fenced. The applicant notes that the six (6) foot high fence is desired for security purposes. A similar fence height variance was recently granted for the residence directly across Kelli Court to the southeast (#8 Kelli Court). Staff believes the proposed six (6) foot high fence will have no adverse impact on the adjacent properties or the general area.

C. Staff Recommendation:

Staff recommends approval of the requested fence height variance, as filed.